

19A
Mr. J. Walter Yeagley
Assistant Attorney General

May 4, 1964

Director, FBI

1 - Mr. Simpson

REC-39

1A-2033-1
PHILLIP ABBOTT LUCE
SEDITION

EX 104

There is enclosed a copy of an advertisement captioned, "We the undersigned" which appeared in the "National Guardian" dated April 25, 1964.

It will be noted that this advertisement contains a number of names of individuals who allegedly objected to being asked to support the United States participation in the fighting in Viet Nam. At the bottom of the list of names appears the statement, "If you are of draft age and agree with the above statement, sign below and return to Phillip Abbott Luce, G. P. O., Box 931, N. Y., N. Y. 1."

It is requested that you advise this Bureau whether the placing of this advertisement indicates a possible violation of Sedition Statutes warranting investigation by the FBI.

Enclosure

2 - New York

RDS:lat
(6)

MAILED 4

MAY 4 - 1964

COMM-FBI

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

172 MAY 12 1964

MAIL ROOM ☐

TELETYPE UNIT ☐

F B I

Date: 4/27/64

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (100-434479)
 FROM: SAC, NEW YORK (100-143479)
 SUBJECT: PHILLIP ABBOTT LUCE
 SEDITIOUS
 SEDITION

ReNYlet 4/15/64.

The 4/25/64 issue, Page 4, of the "National Guardian" carried a general advertisement captioned "We The Undersigned" which contains a list of 87 names of people who object to being asked to support the war in South Viet Nam.

At the bottom of the list of names appears the following:

If you are of draft age and agree with the above statement, sign below and return to Phillip Abbott Luce, G.P.O., Box 981, NY, NY 1."

Two xerox copies of this article are enclosed for the Bureau.

In view of the above, a 14 Classification Case is being opened on PHILLIP ABBOTT LUCE at NY.

3-Bureau (Encls. 2) (AM)
 2-New York (14-PHILLIP ABBOTT LUCE)
 1-New York

JWR:dcv

ENCLOSURE

C C • Wick

MAY 5 1964

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

UNRECORDED COPY FILED IN 100-434042

ENCLOSURES (2)

TO BUREAU

Bufile (100-434042)

NYfile (100-143479)



14-2933-1

ENCLOSURE

We the undersigned

ARE YOUNG AMERICANS OF DRAFT AGE. We understand our obligations to defend our country and to serve in the armed forces but we object to being asked to support the war in South Vietnam.

BELIEVING that United States participation in that war is for the suppression of the Vietnamese struggle for national independence, we see no justification for our involvement. We agree with Senator Wayne Morse, who said on the floor of the Senate on March 4, 1964, regarding South Vietnam, that "We should never have gone in. We should never have stayed in. We should get out."

BELIEVING THAT WE SHOULD NOT BE ASKED TO FIGHT AGAINST THE PEOPLE OF VIETNAM, WE HEREWITH STATE OUR REFUSAL TO DO SO.

Kim Allen
Robert Apter
Peter Barnett
Lee Baxandall
Bernard Berman
Jacob Bernstein
Hugh Blachly
Harvey Blume
Stephen Bonime
Robert Bott
Jeff Briggs
Larry Brownstein
Charles Buchanan
James Bundy
Edward Campbell
B. Catalinotto
Thomas Christy
Kenneth Clouse
John Coatsworth
M. Covian
Salvatore Cucchiari
Doyle Davis
Roger Eaton
Robert Eisenberg
John Ewell
Joe Eyer
Shannon Ferguson
H. Quin Foreman
Robert Galloway

James Garahan
Jeremiah Gelles
Frank Ghigo
Marc Graham
Edmund Hazzard
Michael Hedgepeth
Robert Hume
Douglas Ireland
Lance Jackson
John Jaros
Dan Kalb
Martin Kanner
Robert Klein
David Koteen
Levi Lee Laub
E. Daniel Larkin
Edward Lemansky
Victor Lippit
Eric Lob
Phillip Abbott Luce
Shelbourne Lyman
Albert Maier
William Malandra
Robert Manoff
Richard Martin
Paul Mattick Jr.
Don McKelvey
John Meeks
Alvin Meyer

Gerald Meyer
Paul Miller
Charles Mills
H. D. Muller
Anthony Murad
Martin Nicolaus
Theodore A. Ostrow
David W. Piper
Joseph Purvis III
David Rabay
David Raskin
Walter Read
R. M. Rhoads
Anthony Rosen
Jeffrey Roven
Arnold Satterthwait
Larry Seigle
Russell Stetler Jr.
Reed Straus
Roger Taus
John J. Thomson
Mark Tishman
Bruce Tulloch
Richard Van Berg
Terry Van Brunt
David Watts
R. Wax
Jerry Weinberg
Allan Williamson

If you are of draft age and agree with the above statement, sign below and return to Phillip Abbott Luce, G.P.O., Box 981, N.Y., N.Y. 1.

- ☐ I authorize the publication of my name with the above statement.
☐ I enclose my contribution of \$..... to help defray the cost of this ad. Make all checks payable to Phillip Abbott Luce, Treasurer of Ad Hoc Committee.

Contributions are needed in order that this ad can be placed in such papers as THE NEW YORK TIMES, THE WASHINGTON POST and THE SAN FRANCISCO CHRONICLE on May 30th—Memorial Day. You need not be of draft age to give money.

NAME

ADDRESS

CITY..... STATE..... ZIP CODE.....

This statement is being circulated by a group of private citizens.

"National Guardian"
4-25-64 issue
Page 4

4/23/64
make 2 Xerox
1-Bureau 1-14 new
44

14-2933-1

SAC, New York (100-143479)

6/10/64

Director, FBI (14-2933) - *2*

REC-66

1 - Mr. Simpson

PHILLIP ABBOTT LUCE
SEDITION

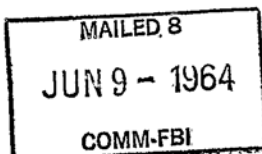
Reurairtel dated 4/27/64 captioned
"Phillip Abbott Luce, Security Matter - C, Sedition"
and Bulet to Assistant Attorney General Yeagley
dated 5/4/64 captioned as above.

There are enclosed for your information two
copies of a letter from the Department dated 6/4/64
indicating that the activities of Luce are not within
the prohibitions of the sedition statutes and there
does not appear to be sufficient basis for requesting
further investigation into this matter under the
sedition statutes.

It is noted that the Department has specifically
requested that if any additional information comes to
the attention of the FBI concerning the activities of the
individuals placing the advertisement which would indicate
a plan or scheme calculated to obstruct the recruiting
or enlistment service of the United States or to cause
insubordination in the military service such data should
be promptly furnished to the Department. In your inves-
tigation of Luce and others connected with him, you
should be constantly alert for such additional information
and where appropriate submit a letterhead memorandum
suitable for dissemination in order that the information
may be promptly brought to the Department's attention.

Enclosures - 2

RDS:rbm
(4)



Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

58 JUN 12 1964

MAIL ROOM ☐ TELETYPE UNIT ☐

Handwritten initials and signature

Memorandum

TO : Director, Federal Bureau of Investigation

DATE: June 4 1964

JWY
FROM : J. Walter Yeagley
Assistant Attorney General
Internal Security Division

SUBJECT: PHILLIP ABBOTT LUCE
SEDITION

31 JUN 5 1964
31

Reference is made to your memorandum dated May 4, 1964, on the captioned subject, enclosing a copy of an advertisement entitled, "We the undersigned," which appeared in the April 25, 1964 issue of the "National Guardian." In view of its content, you have requested to be advised whether the placing of this advertisement indicates a possible violation of the sedition statutes warranting investigation by the FBI.

The advertisement reflects the names of 87 individuals, allegedly young Americans of draft age, who purport to admit their obligations to serve in the armed forces but who protest against being asked to support the war in South Viet Nam. They state their refusal to fight against the people of Viet Nam and solicit the support of other individuals of draft age.

Under the 'wartime' sedition statute, 18 U.S.C. 2388, which has temporary extension under the provisions of the national emergency proclamations, the offense of obstructing or attempting to obstruct the recruiting or enlistment service of the United States, may be committed by the use of words. Further, it is well established law that it is not essential to conviction for this offense that the offender's words or acts actually prevented recruitment or enlistment. The cases hold that anything which would tend to impede, hinder or embarrass our recruiting service would "obstruct" it.

However, the Supreme Court has ruled in the World War II sedition case of Hartzell v. United States, 322 U.S. 680, that this statute requires a specific willful intent on the part of the offender to do the acts proscribed by the statute, which in the instant case, would be to obstruct the recruiting and enlistment service of the United States or to cause insubordination in the military service.

On the basis of the available information, as reflected in the referenced advertisement, we do not consider the appeal encompassed therein, without more, to indicate that those persons placing the advertisement had such requisite specific intent, as distinguished from mere protests against the foreign policy of the United States which are not encompassed within the pro-

REC-26

JUN 5 1964

hibitions of the sedition statutes. For this reason we do not believe there to be a sufficient basis for requesting investigation of this matter at this time.

In the event additional information should come to your attention concerning the activities of the individuals placing the advertisement which would indicate a plan or scheme calculated to obstruct the recruiting or enlistment service of the United States or to cause insubordination in the military service, we would appreciate having such information made available to us in order that this matter might be re-considered in light thereof.

J

1/20/66

AIRTEL

TO : DIRECTOR, FBI []

FROM : SAC, NEW YORK (100-154786)

SUBJECT: VIDEN

b3
b7E

ReNYteletype, 1/19/65, which set forth the contents of an undated circular entitled "Action Call For Veterans And Reservists" which was distributed in front of Manhattan Center, NYC, on 1/16/66.

Enclosed are 10 copies of an LHM which set forth the contents of the circular.

Copies of the LHM are being disseminated to Army Intelligence, ONI, OSI, the Secret Service, and the USA, SDNY. Secret Service has been advised by telephone.

The first confidential source in the enclosed LHM is [] who obtained the circular in front of the Manhattan Center, NYC, on 1/16/66.

b6
b7C
b7D

- 4 - Bureau [] (Encls 10)
- (1) - 14-2935 (CNVA)
- 2 - Washington Field (100-44061) (Encls. 2) (RM)
- 1 - New York (14-377) (CNVA) 43
- 1 - New York (100) (New York Workshop in Non Violence) 43
- 1 - New York (100-150001) (Veterans For Peace) 43
- 1 - New York

b3
b7E

JET:lam
(11)

ENCLOSURE

14-2933-
NOT RECORDED
200 JAN 25 1966

ORIGINAL FILED IN 100-154786-3268

60 JAN 26 1966

NY 100-154786

The second confidential source is [redacted]
[redacted] whose identity is concealed at
the request of [redacted]

b7D

This source [redacted]

The NYO will follow this matter closely and keep
the Bureau advised of developments in this matter.

The LHM was classified "~~Confidential~~" to protect
the identity of the first confidential source, revelation of
which could have an adverse effect on the national defense
interests.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

New York, New York
January 20, 1966

~~CONFIDENTIAL~~

NY 100-154786

Demonstration Protesting United
States Intervention in Viet Nam

b6
b7C

b3
b7E

On January 18, 1966, a confidential source who has furnished reliable information in the past, made available an undated circular which was being distributed on January 16, 1966, in front of the Manhattan Center, Manhattan, New York.

It was entitled, "Action Call For Veterans And Reservists."

It stated: "On Saturday, February 5, between 11:30 and 1:30, a group of veterans and reservists will demonstrate in front of the White House under the sponsorship of Veterans and Reservists to End the War in Viet Nam.

"As part of this demonstration, a number of veterans will publicly disassociate themselves from the U. S. Government's brutal policy of calculated aggression against the Vietnamese people, by returning their discharge papers, medals, and campaign ribbons to President Johnson.

"This action represents a new dimension to end the war in Viet Nam. For the first time a group of veterans and reservists will directly confront the Commander-In-Chief of the military machine responsible for the deaths of untold thousands of men, women and children in Viet Nam.

"The demonstration will take place on the first anniversary of the start of the bombing of North Vietnam. Recently there has been a lull in these bombings as part of the Administration's 'peace offensive' but there has been no lull in the rain of death and destruction in South Viet Nam. Until genuine peace is gained, we peace forces must confront the warmakers with an ever-increasing escalation of our own.

~~CONFIDENTIAL~~

~~Group 1~~

~~Excluded from automatic
downgrading and
declassification~~

14-2733 -

ENCLOSURE

~~CONFIDENTIAL~~

Demonstrations Protesting United
States Intervention in Viet Nam

"If you are a veteran and want to participate-- whether or not you plan to return your discharge papers and/or medals and ribbons-- or if you are not a veteran but want to join the demonstration, please fill out the coupon at the bottom and send it to us immediately.

"Come with us to Washington on February 5, and tell the government that the war in Viet Nam is no longer being fought in your name."

The circular ended with "End The War In Vietnam Now."

The coupon was addressed to "Veterans and Reservists to End the War in Vietnam, 5 Beekman Street, Room 1033, New York, New York 10038."

It contained boxes to be checked as to whether the individual is a veteran, non-veteran, or reservist; a box to be checked with the statement next to it, "Enclosed is \$_____ for _____ round-trip bus seats from New York to Washington for Saturday, February 5, 1966, at \$7.00 each;" a box to be checked as to whether the individual planned to return their discharge papers, medals and/or campaign ribbons at the demonstration; a box to be checked with the statement next to it, "I cannot attend, but am enclosing my discharge papers," with a letter of authorization for their return to the President at the demonstration, and a box to be checked with the statement next to it, "Enclosed is my contribution of \$_____ to help cover expenses."

At the bottom of the coupon, space was afforded for the individual's name, address, and phone number.

In addition, at the bottom of the coupon was the statement, "(For further information, please call 227-5535, or 227-5536.)"

On January 20, 1966, it was ascertained through a second confidential source who has furnished reliable information in the past that the Committee For Non Violent Action and the New York Workshop in Non Violence are the subscribers to Telephone Number 227-5535.

This source was unable to identify the subscriber to 227-5536.

~~CONFIDENTIAL~~